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S E C R E T ROME 001506

SIPDIS

BAGHDAD PLEASE PASS TO BG VANGJEL;  
JUSTICE FOR ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION

EO 12958 DECL: 05/02/2015  
TAGS PREL, MOPS, KJUS, IT, IZ, IRAQI FREEDOM  
SUBJECT: IRAQ/ITALY: BERLUSCONI TRYING TO PUT CALIPARI  
INCIDENT BEHIND US - ITALIAN REPORT FINDS NO INDIVIDUAL RESPONSIBILITY

Classified By: Ambassador Mel Sembler, reasons 1.4 b and d.

1. (S) Summary and Recommendation: Just prior to the May 2 release of the Italian report on the March 4 killing of intelligence officer Nicola
2. (S) Recommendation (see also Para 9): While the Italian report quibbles with many findings and much of the methodology of the US AR 15-6 re
3. (S) Ambassador, DCM and PolMilCouns were called to the PM's office late May 2 to receive an advance copy of the Italian report on the March
4. (S) The Italians made the following main points:
  - The intent of Italian Government is that this incident should have no negative effect on our excellent bilateral relations.
  - Specifically, there should be no effect on the Italian commitment in Iraq.
  - The Italian government wants to put the incident behind us and hopes this report will contribute to that end (see below for explanation as t
  - An unclassified version of report would be posted on a GOI web site May 2, with classified sections redacted. The full, classified report wc
  - Berlusconi would discuss the report in Parliament on Thursday, May 5.
  - It would be useful for President Bush to call Berlusconi Wednesday, so that he could say before Parliament the next day that he had spoken w
5. (S) As to the report itself, the Italians generally described it as supporting the "tragic accident" thesis, and highlighted the following:
  - The report says it is impossible to attribute individual responsibility for the killing.
  - It also says Italian investigators found no evidence that killing was intentional.
  - This last point was designed specifically to discourage further investigation by the prosecuting magistrates, since under Italian law they a
  - The Italian report was written with prosecuting magistrates in mind. The Italians stressed that USA 15-6 regulations permitted some things t
  - The government will block attempts by parliamentary committees to open their own investigations (there are already several calls for this fr
  - The report stands behind the accounts given by Sgrena, the driver, and SISMI's Baghdad Station Chief; i.e., the "Italian reconstruction" of
6. (S) The copy of 67-page Italian report that they handed to us was a draft that was still being proofread in another room (in fact, they sai
7. (S) Ambassador Sembler told the Italians that the USG shared the Italian desire to put this incident behind us and not let it affect overal
8. (S) The Italians were clearly not happy about the classified portions of the USA 15-6 posted on the web being "unredacted" so easily and as
9. (S) Embassy recommendations for immediate next steps:
  - The NSC should try to schedule a POTUS-Berlusconi call on Wednesday.
  - The USG public reaction for now should be limited to "We've just received Italian report and are studying it." (Italian press will be furio
  - The Department should consider a SecState-Fini call in the next few days to confirm that we share Italy's desire to put incident behind us.
10. (U) Informal Embassy Translation of Italian Report's Conclusions:

"The Italian representatives - based on the evidence they were able to obtain - did not find elements that would allege that the facts indicate

It is realistic that tension felt by the soldiers and some inexperience and stress may have made them react instinctively and with little contr

The lack of formal references to clear rules that should have been observed makes it problematic to assign specific individual responsibilities

The facts asserted by Ms. Sgrena, the car's driver and the SISMI Chief of Station in Baghdad can be considered realistic. Based on the overall

End Informal Embassy Translation of Conclusions.
11. (U) Baghdad minimize considered.  
SEMBLER